

ORDINANCE NO. 1325

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LODI  
AMENDING CHAPTER 13B (MESSAGE ESTABLISHMENTS, OUTCALL  
MESSAGE SERVICE AND MESSAGE TECHNICIANS)

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LODI AS  
FOLLOWS:

SECTION 1. Each and every reference in each and every Article, Section, and/or Subsection of Chapter 13B "Message Establishments and Message Technicians", which refers to "Message Establishments", is hereby amended to read "Message Establishment and/or Outcall Message Service".

SECTION 2. Each and every reference in each and every Article, Section, and/or Subsection of Chapter 13B "Message Establishments and Message Technicians", which refers to "Applicant" and/or "Operator", is hereby amended to read "Applicant and/or Message Technician", or "Operator and/or Message Technician".

SECTION 3. Chapter 13B, Article I, In General, § 13B-1 Definitions is hereby amended as follows:

( ) (New Section) "Outcall message service. Any business, not licensed as a message establishment under the provisions of this article, wherein the principle function is such that message is given, engaged in, or carried on, or permitted to be given, engaged in, or carried on."

SECTION 4. Chapter 13B, Article 11, Establishment Permits Generally, is hereby amended to read as follows:

"§ 13B-2. Permit Required.

"It shall be unlawful for any person to engage in, conduct or carry on, or to permit to be engaged in, conducted, or carried on, in or upon any premises in the City of Lodi, the operation of a message establishment and/or outcall message service as herein defined, without first having obtained a permit from the Police Department issued pursuant to the provisions of this Chapter."

"§ 13B-3. Application.

"( ) (New Section) "**Business**, occupation, or employment of the applicant for the three (3) years immediately preceding the date of the application."

"( ) (New Section) "**The** massage or similar business license history of the applicant; whether such person, in previously operating in this or another city or state under license, has had such license revoked or suspended, the reason therefor, and the business activity or occupation of applicant subsequent to such action or suspension or revocation."

"( ) (New Section) "**All** criminal convictions and the reasons therefor."

"§ 13B-4. Application Fee.

"At the time of filing an application for a permit, the applicant and/or massage technician shall pay a fee in accordance with the following:

"For each permit a sum as adopted from time to time by resolution of the City Council, plus a sum as adopted from time to time by resolution of the City Council for each person, other than an individual applicant and/or massage technician, to be employed by the massage establishment and/or outcall massage service."

"§ 13B-6. Premises Inspected; Applicant Investigate, etc., by Police."

(Amended to include additional sections of State Penal Code and Health and Safety Code under which Government Code § 51032 authorizes denial of massage establishments and/or outcall massage service licenses, as follows):

"Penal Code Section 266(i), Health and Safety Code Sections 11054 through 11058. or whether convicted in any other state of any offense, which if committed or attempted in this state, would have been punishable as one or more of the above-mentioned offenses of this subdivision."

"§ 13B-8. Term.

"A massage establishment license and/or outcall massage service permit shall be issued on a permanent basis, subject to revocation or suspension for cause. Upon transfer of a business by a licenses applicant, the transferee must secure a new license or permit pursuant to this chapter."

SECTION 5. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

SECTION 6. "his ordinance shall be published one time in the "Lodi News Sentinel", a daily newspaper of general circulation, printed and published in the City of Lodi and shall be in force and take effect thirty days from and after its passage and approval.

Approved this 5th day of July, 1984



Mayor

At test :

  
Alice M. Reimche  
City Clerk

State of California  
County of San Joaquin, ss,

I, Alice M. Reimche, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1325 was introduced at a regular meeting of the City Council of the City of Lodi held June 20, 1984 and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held July 5, 1984 by the following vote:

Ayes: Council Members - Reid, Hinchman, Olson,  
Pinkerton & Snider (Mayor)

Noes: Council Members - None

Absent: Council Members - None

Abstain: Council Members - None

I further certify that Ordinance No. 1325 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

  
Alice M. Reimche  
City Clerk